IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 11611 of 1995

Between:

Gondi Srinivasa Rao,

S/o. late Appa Rao,21 years,

R/o. Rangamannarpeta, Palakol. W.G. District

..... PETITIONER

AND

The District Judge, West Godavari, Eluru.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records and issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus directing the Respondent herein to consider the applications of the petitioner and appoint him as an Attender in the last cadre service in the Judicial Department, West Godavari District on compassionate grounds and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.SUBRAHMANYAM

Counsel for the Respondent: Mr. C.V. Nagarjuna Reddy

The Court made the following Order : (per Sri Devinder Gupta, CJ)

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This petition was filed in the year 1995 and has not so far been admitted for hearing. Lastly when the petition was posted on 5.6.1996, petitioner sought time to file an application to implead the Registrar of the High Court. It has not so far been done.

We have gone through the contents of the petition and we do not find any ground having been made out to issue the directions prayed for. Petitioner's father died on 19.4.1987 while serving as Process Server in the Court of District Munsif, Narsapur, West Godavari District. Petitioner was minor, aged about 14 years at the time of his father's death and could not have been appointed at that time. Petitioner's case is that he was entitled for appointment on compassionate grounds being minor, as per G.O. Ms. No.349, General Administration (Service) Department and he had also submitted an application within one year. Nothing happened and in June, 1993 he was called for interview, but without any effect.

We see no reason to issue any directions in this petition on the allegations made by the petitioner. The death occurred in the year 1987 whereas the writ petition was filed in the year 1995. It seems that as per the Rules in force, petitioner is not entitled to compassionate appointment being minor and such appointments are given only to tide over the crisis being faced by the family. The writ petition is accordingly dismissed.

In case, petitioner has already been appointed, he will not be discontinued otherwise than in accordance with law. No costs.

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DEVINDER GUPTA, CJ

Date: 30th August, 2004

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C.V.RAMULU,J

Pnb

To

1. The District Judge, West Godavari, Eluru.

2. Two C.D. copies